

THE GEORGE WASHINGTON UNIVERSITY
Washington, DC

MINUTES OF THE REGULAR MEETING
OF THE FACULTY SENATE HELD ON
DECEMBER 12, 1997, IN THE ELLIOTT
ROOM, UNIVERSITY CLUB, MARVIN CENTER

The meeting was called to order by Vice President Lehman at
2:15 p.m.

*Correction
1/16/98*
Present: President Trachtenberg, Vice President Lehman,
Registrar Selinsky, and Parliamentarian Pagel;
Deans Futrell and Lefton; Professors Agnew, Boswell,
Captain, Griffith, Harrald, Harrington, Kahn,
Ludlow, Lynch, McAleavey, Robinson, Silber, Simon,
Slaby, Smith, Sodaro, Solomon, Yezer, and Youens

Absent: Deans Friedenthal, Harding, ~~Kee~~, Keimowitz,
Mazzuchi, and Riegelman; Professors Castleberry,
Cawley, Granger, Gupta, Johnston, Peroni, and
Wirtz

APPROVAL OF THE MINUTES

The minutes of the regular meeting of November 14, 1997, were
approved as distributed.

At this point, President Trachtenberg arrived and assumed the
Chair.

RESOLUTIONS

I. RESOLUTION 97/6 ON REVISED DRAFT OF POLICY AND PROCEDURES ON
CONFLICT OF INTEREST

On behalf of the Ad Hoc Committee on Conflict of Interest
Policy for Faculty, Professor Robinson said that the Committee
did not have a resolution for action by the Senate today. By way
of explanation, she presented the following statement:

As you may recall at the November Senate meeting,
I reported that the draft of the Conflict of Interest
Policy, passed by the Senate in spring, 1997, and
subsequently revised by the Academic Affairs Committee
of the Board, was received the week of November 10 by
the Executive Committee of the Faculty Senate with the
request for faculty review, comments and suggestions.
We were also requested to forward the document with our
revisions to the Academic Affairs Committee by December
15.

In order to accomplish this task, the Executive

Committee appointed an Ad Hoc Committee which has been meeting weekly. It produced a revised draft and met to discuss its response to the document (revised by the Board of Trustees) and the proposed changes with Counsel to the Board, Mr. Michaelson of Hogan and Hartson. The draft, as revised by the Committee, was circulated and/or reported on by individual Committee members to their Schools; comments, as received, were reviewed by the Committee. The Law School received the document at the end of last week and by Monday three of the Ad Hoc Committee members were the recipients of extensive and strongly negative e-mail responses from the Law School faculty. Pursuant to what were surely valid questions and concerns raised by these colleagues, it was clear when the committee met the next day, Tuesday, December 9, that the document could not be presented to the Senate until the objections of the Law School were addressed. Fortunately, the Vice Chair of the Academic Affairs Committee of the Board of Trustees, Ms. Patricia Gurne, attended the Tuesday meeting. Her conclusion was the same and she recommended further work on the document.

Consequently, today's meeting provides that opportunity and the comments of the Faculty Senate, along with those from the Law School faculty, will help to frame our discussion at next week's meeting of the Ad Hoc Committee with Counsel and Ms. Gurne. The Committee will also be joined by another member of the Law School, Professor Arthur Wilmarth. The anticipation now is that we will have a document and accompanying resolution possibly as early as our January meeting.

I would like to stress that the Ad Hoc Committee has expended considerable time and energy on this complex matter during an especially demanding period in our academic calendar. I would like to extend my sincere thanks to the members of the Committee. Let me also add that with the cooperation of Counsel to the Board and Ms. Gurne, we have been making progress in explaining and resolving faculty concerns.

I would now like to very briefly and generally address what appears to be the central reaction of our colleagues in the Law School. Professor Solomon will be providing more detailed commentary. I have also asked Professor Harrington, who undertook the daunting task of actually inserting the revisions and producing the drafts, to provide information on process and content.

In reading the many e-mail messages, the general response to the document as a whole appears to be the following:

- that the Conflict of Interest Policy as drafted is importantly ambiguous;
- that most of the faculty do not create any problem that Policy is intended to address;
- yet some individual sections, and the proposed disclosure form, seem to imply the contrary;
- that the result is to unnecessarily burden the faculty with intrusive and dysfunctional possible disclosure requirements, or if interpreted otherwise, the result is the possibility of being accused of noncompliance.

Professor Harrington, a member of the Ad Hoc Committee, recalled that this past May 9th, the Senate adopted a resolution confirming the Senate's original Policy on Conflict of Interest (1990), together with a set of procedures. He said that even though the Senate had already passed a Policy on Conflict of Interest pertaining to federally-funded research, the Board subsequently decided that it would like to have one single policy for faculty, governing all activity, particularly research activity, within the University. The Board then drafted its own Conflict of Interest Policy for faculty dated 11/5/97 and submitted it to the Executive Committee of the Faculty Senate. The Executive Committee appointed an Ad Hoc Committee to study the Board's draft revision. The Ad Hoc Committee reviewed the Board's draft revision and made some changes which the Committee thought necessary to reflect some faculty input. The Ad Hoc Committee's revision, dated 11/25/97, was distributed to the Faculty Senate and circulated within the schools. Professor Harrington said that the Ad Hoc Committee has received comments from the schools, particularly the Law School, concerning the revised draft policy. He noted that Trustee Gurne, who attended a meeting of the Ad Hoc Committee, did not seem to be opposed to some of the revisions made by the Committee. Professor Harrington said that he thought the Committee has a number of rounds to go before it can feel comfortable that it has a document that will satisfy the faculty, but he hoped that an agreement can be reached eventually.

Professor Solomon, on behalf of Professor Johnston, a member of the Ad Hoc Committee who could not be present today, distributed a handout prepared by Professor Johnston. The handout, he said, consisted of three parts: (1) e-mail memos from law faculty members' reactions to the Board's 11/5/97 draft revision of

the Policy on Conflict of Interest; (2) the Board's 11/5/97 draft Policy itself; and (3) an article entitled "Tenure Wars: An Account of the Controversy at Minnesota" from the Journal of Legal Education (September, 1997) by Professor Fred L. Morrison, University of Minnesota. With regard to the e-mail memos, Professor Solomon said that Professor Johnston pointed out that the law faculty cited various conceptual problems in the Board's draft revision. For instance, in the e-mail memo from Professor Saltzburg, it appeared to him that the Trustees, in their November 5th revision of the policy, were trying to deal with a number of things, e.g., federally sponsored research, conflict of interest generally, as well as one-day-a-week consulting. With regard to the article from the Journal of Legal Education, Professor Solomon said that Professor Johnston indicated that there may be no analogies between the Minnesota experience and our Board's proposed Conflict of Interest Policy, but that there was one common element. Attorney Michaelson, who labored hard for the Minnesota Board of Regents, is the lawyer retained by our Board of Trustees to prepare our Conflict of Interest Policy which would be applicable to all GW faculty. Professor Solomon said that Professor Johnston was providing this information for the Senate's study and review.

President Trachtenberg said that he did not understand Professor Johnston's point in distributing the article from the Journal of Legal Education. Professor Solomon replied that he thought Professor Johnston's point was that Attorney Michaelson from the Washington firm of Hogan and Hartson is a specialist in University policies and preparing University policies, and that he was retained by the Minnesota Board of Regents and also has been retained by our Board of Trustees to assist in the drafting of the Conflict of Interest Policy for our faculty.

Professor Robinson pointed out that she was not aware of the materials Professor Johnston had asked Professor Solomon to distribute at this meeting, so she was not prepared to discuss them. However, she hoped that the faculty might have comments to pass along to the Ad Hoc Committee which has scheduled a meeting December 17th. At that meeting, she said, the comments from the Law School and other schools would be discussed and she would continue pushing to get this matter resolved.

Professor Griffith said that he thought there was an ambiguity in the Ad Hoc Committee's 11/25/97 revision on Page 4, Par. D which states that "Notwithstanding any other provision of this Policy, no faculty member may accept a faculty appointment in another college or university during the academic year without the approval of the University. . . Exceptions allowing outside faculty appointments may be authorized only in cases of extreme emergency and with prior approval of the Dean and the Vice President." Professor Griffith said that he was unsure how the Board or original drafter of this policy intended "faculty appointment" to be read. For example, if

a faculty appointment involved leading a workshop on the weekend at another school, would that appointment have to be approved by the Dean and Vice President on an emergency basis? He said it seemed to him that if what is meant is that no one shall accept a regular teaching appointment for a semester or so elsewhere, then the language should be made clear in the context of the Conflict of Interest Policy, since it defines as "tainted" what falls outside its limits.

Professor Silber said that clarification should be made regarding the restrictions on hiring students since many faculty hire students as research assistants. Professor Robinson replied that that question has already been raised by the Ad Hoc Committee.

President Trachtenberg asked Professor Robinson when the Board wanted the Conflict of Interest Policy, and Professor Robinson replied that the Board had asked that it be sent to them by December 15th, which clearly cannot be done, even though the Ad Hoc Committee has been working diligently to meet the Board's request. The President said that he will ask the Board to give the Senate more time to draft a policy to be voted on in January.

II. RESOLUTION 97/7 ON INTERDISCIPLINARY PROGRAMS

On behalf of the Committee on Appointment, Salary and Promotion Policies, Professor Boswell said that Resolution 97/7 has been forwarded to the Professional Ethics and Academic Freedom Committee for its review before action by the Senate. Professor Boswell explained that it was a misunderstanding on his part that the Resolution had not been reviewed by the PEAFC Committee prior to placing it on the Senate's agenda. He anticipated that it would be brought back to the Senate in January.

Professor Robinson moved that the Resolution be referred to the Professional Ethics and Academic Committee for review, and the motion was seconded. The question was called, and the motion adopted. (Resolution 97/7 is attached.)

INTRODUCTION OF RESOLUTIONS

No resolutions were introduced.

GENERAL BUSINESS

I. REPORT OF THE EXECUTIVE COMMITTEE

The Report of the Executive Committee by Professor Robinson, Chair, is enclosed.

II. INTERIM REPORTS OF SENATE COMMITTEE CHAIRS

Professor Captain, Chair, University and Urban Affairs Committee, said that the Committee would like to get on the Faculty Senate Home Page so that information coming in can be detached from individual professors which poses a staffing problem.

Professor Lynch, Chair, Research Committee, noted that the Committee's Interim Report had been distributed to the Senate today. She said that the Committee wished to add a representative from the Humanities to its membership, and she asked for Senate approval to add Associate Professor Ann Romines as a member of the Research Committee. The Senate approved unanimously. [Interim Report is attached.]

BRIEF STATEMENTS (AND QUESTIONS)

President Trachtenberg briefly described his recent trip to New Zealand where he made about twenty appearances in four days. The academics he met knew many of our colleagues by their work.

Vice President Lehman gave an update on Mount Vernon College. He recalled that the last report to the Senate was made by the Transition Team who described how the transition could be made from the current state of the Mount Vernon campus to one that was more closely affiliated with GW University. Vice President Lehman added that a model has been put together for a transition, in order to make certain that if we take this route that it would be financially viable. For that purpose, he formed a committee, chaired by Associate Vice President Craig Linebaugh, with representatives from each of the undergraduate colleges, plus other representatives from Academic Development and Continuing Education programs, off-campus activities, and the Mount Vernon campus. The committee worked on the concept of The George Washington University at Mount Vernon College, with the idea that we would recruit 150 women who would have the opportunity to enroll as GW students and earn a GW degree, but would reside at the Mount Vernon College campus during their first two years and then complete their junior and senior years at the GW campus. Vice President Lehman said that the committee is trying to look for specific programs that could be offered at the Mount Vernon campus. The most obvious one, which is being worked on right now, is the idea of offering a degree program in Interior Design which would be offered through the Art Department at GW, but at the same time utilizing what has already been done at Mount Vernon College. Another proposal on the table right now was put forward by Professor David Grier, Director of our Honors Programs. He proposed a residential program on the Mount Vernon campus that would be very similar to our residential programs on the GW campus, especially the ones associated with the Honors Program. The program would be tentatively entitled "Women and Power," for example, and would offer a special set of courses,

all of which are already offered on this campus. A third possibility, from the School of Business and Public Management by Professor Lois Graff, has to do with Women and Entrepreneurship. Again, this could be done within the framework of offerings that GW already has in existence. A fourth concept being looked into by Professor Rachelle Heller of the School of Engineering and Applied Science is a technology program specifically oriented towards women that would be offered at the Mount Vernon campus.

Vice President Lehman noted that the model has been laid out in great detail with the help of Professor Norayr Khatcheressian who has gone through all of the different details as far as course structures, etc. And the Committee has asked Assistant Vice President Don Boselovic of the Budget Office to look at the costs associated with this plan for offering the courses and hiring faculty. The assumptions going into those initial calculations had to do specifically with the idea that we would have to have a core faculty, about half full-time and half part-time, to cover the courses. And that is roughly the balance that already exists at the Mount Vernon campus, he noted. Vice President Lehman said that this summarizes basically the types of things the Committee is working through at this point and they hope to have a fiscal model to put forward to the Board of Trustees within a few weeks.

Professor Griffith asked whether those students who have completed their first two years at Mount Vernon would then migrate to the University in residence or would remain in residence at Mount Vernon all four years. Vice President Lehman responded that the current concept is that if those students chose to continue to live on the Mount Vernon campus, they could do so as long as we have the facilities to house them. The President suggested that Strong Hall, which is exclusively for women on this campus, might be used for those students wishing to continue that experience. Professor Griffith then asked what the default position on this model is, that is, what results and when, would signal that it is not working out. Vice President Lehman replied that this model is being proposed over a four-year time span. The President commented that it would, however, depend on how much shortfall there might be.

Professor Silber said that he understood that Mount Vernon College would be kept as an all-women's institution. He wondered what would happen if someone challenged that if the degrees are offered through GW. President Trachtenberg replied that he understood it is legal to have a women's college as part of a larger University.

Further discussion followed by Professors McAleavey, Ludlow, Lynch, Griffith, and Vice President Lehman.

Professor Griffith said that he hoped the administration would continue in existence a faculty committee to oversee this process because he thought there might be some significant transition problems, for example, because of very different SAT scores. Vice President Lehman said that the Committee is concerned about that and has already been discussing it very extensively.


President Trachtenberg then made some brief remarks about commencement and tuition. With regard to commencement, he said that a Commission, headed by Associate Law Dean John Jenkins, is expected to make its recommendation by the end of January as to whether commencement will take place indoors or outdoors. On the subject of tuition, the President said that administration is committed to trying to keep the tuition rise in the fall as modest as possible, but that some of our priorities have been impacted by comments from the Accreditation Team that recently visited the University. One of their concerns was that the \$25 million the University has committed to technology upgrades would be perhaps insufficient by as much as \$25 million. The President said that trying to figure out how we are going to get an additional \$25 million for technology and yet hold down tuition will not be an easy task in putting the budget together.

Professor Captain noted that she was one of the fortunate faculty who had received new computers, but she wondered when connections to the ethernet might take place. Vice President Lehman replied that this was a very high priority. He then explained that the first step in providing such Internet access involves putting fiber hubs on campus using the underground system which already exists. The actual hub system should be in place by August, he said, but the real problem is in connecting the buildings to the hub system. Vice President Lehman said that by sometime in January, he would give the faculty a prioritized list of how the hubs will be filled out.

ADJOURNMENT

Before adjourning, the President wished everyone a Happy Hanukkah, Happy Christmas, and Happy New Year.

Upon motion made and seconded, the meeting was adjourned by President Trachtenberg at 3:30 p.m.


 Brian Selinsky
 Secretary

A RESOLUTION ON INTERDISCIPLINARY PROGRAMS (97/7)

WHEREAS, the University should encourage faculty and students to explore heretofore uncharted areas of knowledge; and

WHEREAS, the establishment of interdisciplinary programs promotes cooperation among scholars in various disciplines and the exploration of new ideas; and

WHEREAS, good policy suggests that guidelines be established for interdisciplinary programs; NOW, THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- (1) That the Faculty Senate supports the establishment of interdisciplinary programs through the cooperation of two or more schools or departments of the University;**
- (2) That faculty collaborating in the establishment and leadership of interdisciplinary programs shall be regular, active-status members of University departments or non-departmentalized schools and shall have the endorsement of their department or school to participate in such programs;**
- (3) That the regular, active-status faculty participating in each program shall constitute the Program Committee for that program, and will be evaluated for promotion and tenure by their respective departments and/or schools, in a manner consistent with the Faculty Code; each program Committee will report to a committee of the Deans of the participating schools that is chaired by the Associate Vice President for Research and Graduate Studies; regular active-status faculty of the Program Committee will recommend a director to the Vice President for Academic Affairs;**
- (4) That faculty members, other than regular active-status, who are associated with interdisciplinary programs, will be evaluated for appointment, reappointment, and promotion by the particular Program Committee and by the department and/or school in which they are appointed;**

- (5) That students pursuing degrees in an interdisciplinary program shall be admitted and registered in the interdisciplinary program and in one of the schools of the University; admission into interdisciplinary programs shall be administered by the Program Committee and approved by the Department and/or school cooperating in the designated interdisciplinary program; the department or school representatives to each Program Committee shall have signatory authority to approve admissions to the interdisciplinary program; and
- (6) That students in an interdisciplinary program shall, upon satisfactory completion of all requirements, be recommended for the interdisciplinary degree by the particular Program Committee, subject to approval by the faculty of the school in which they matriculate.

Committee on Appointment, Salary and Promotion Policies
November 18, 1997

Referred December 12, 1997, to the Professional Ethics and Academic
Freedom Committee



DEPARTMENT OF TEACHER PREPARATION AND SPECIAL EDUCATION

Dec. 7, 1997

TO: The Faculty Senate

FROM: Sharon Lynch, Chair of Faculty Senate Research Committee

RE: Interim Report

The Faculty Senate Research Committee has met three time so far during the Fall, 1997 semester.

The following summarizes our discussions and future directions:

1. Membership: We have added two members of the Research Advisory Committee to our group, Roger Lang and Michael Bradley. Unfortunately, we scheduled our meetings at a time when Professor Bradley was unavailable, but hope to remedy that circumstance next semester. The Committee was also concerned about the lack of representation of the Humanities Faculty on our Committee, and after many phone calls, are pleased that Anne Romines from the Department of English of CSAS has agreed to join us.

2. Review of Important Documents: We have reviewed and discussed the University Strategic Plan for Research and the Svab Report. In addition, we have reviewed the 1991 report, Research at GW: Constraints and Incentives. Our current membership has sufficient experience with research enhancement efforts at GW that we collectively have a sharp institutional memory for the development of research at GW. Our members point with some pride to their involvement and the University's progress from being known as primarily a teaching institution, to one that is on the cusp of becoming a Research I institution, while retaining its fine reputation in teaching.

Consequently, the review of documents has positioned us to think about what might be useful in advancing the University's ascent to Research I status.

3. Establishing an Agenda for the 1997-98 Academic Year: The Faculty Senate Research Committee seems to be "without portfolio", in that it has no established set of responsibilities or pattern of events. We have established an agenda that seeks to do three things. We want to explore possibilities for:

a. Creating a new incentive system for faculty research (in addition to the REIA and UFF) that operates in a strategic manner to identify areas ripe for exploration and funding. It would also provide enhancements for new faculty to jump-start their research agendas.

Rationale: We want to encourage activities that lead toward our goal of becoming a Research I institution--to a large extent this means an increase in federally funded sponsored research. Previous surveys of faculty (c. 1991) indicated that the single largest disincentive to research is the teaching load which in many schools remains close to a 3/3 load. While department chairs have been encouraged to reduce teaching loads for research active faculty, this seems to have been implemented to various degrees in various departments. Consequently, the time may be ripe to examine different sorts of incentive systems.

b. Establishing new patterns for funding based upon partnerships between the university, business and industry, community and foundations.

Rationale: Although some traditional federal sources for research funding have diminished, there seems to be potential for research opportunities that are collaborative and bringing together partners from a variety of areas. This initiative could provide examples of successful collaboratives and provide faculty seeking such funding with ideas about how to forge coalitions and craft grants that would result in new research opportunities.

c. Creating a system for disseminating information on existing research activity across the university.

Rationale: Last year, the Faculty Research Showcase provided an opportunity for faculty to learn about research activities across GW. To further this endeavor, a method for updating faculty/students on research activities on a regular (bi-monthly) basis could provide timely opportunities of interactions. An on-going update, perhaps via Web site or email, not only would advertise the breadth of research activities, it could suggest partnerships for future activities based upon mutual interests.

REPORT OF THE EXECUTIVE COMMITTEE
December 12, 1997
PROFESSOR LILIE F. ROBINSON, CHAIR

On behalf of our colleagues on the Executive Committee, I would like to report on the following matters.

1. ELECTION OF FACULTY SENATE MEMBERS FOR THE 1998-99 SESSION

A memorandum from the Executive Committee was sent to the Deans recently regarding election of members of the Faculty Senate from their respective schools. The Faculty Organization Plan requires that these elections take place prior to March 15, and the Executive Committee has requested that the results be transmitted prior to that date so that the organization of the Senate for the 1998-99 Session can be accomplished. The Executive Committee would appreciate your assistance in having this item placed on the agenda for the next meeting of your school.

2. ANNOUNCEMENTS

The next meeting of the Executive Committee is scheduled for Friday, December 19th, to plan the agenda for our January 16th meeting. Any items of business that you would like to have the Executive Committee consider, please let us know at your earliest convenience.

On behalf of the Executive Committee, I extend best wishes to everyone for the Holiday Season and the New Year.

THE GEORGE WASHINGTON UNIVERSITY
Washington, DC

The Faculty Senate

December 1, 1997

The Faculty Senate will meet on Friday, December 12, 1997, at 2:10 p.m. in the Elliott Room, University Club, 3rd Floor, Marvin Center.

AGENDA

- 1. Call to Order**
- 2. Approval of the minutes of the regular meeting of November 14, 1997, as previously distributed**
- 3. Resolutions:**
 - (a) A RESOLUTION ON THE REVISED DRAFT OF POLICY AND PROCEDURES ON CONFLICTS OF INTEREST (97/6); Ad Hoc Committee on Conflict of Interest Policy for Faculty (Resolution to be distributed; Conflict of Interest Policy and Procedures adopted by the Faculty Senate on May 9, 1997, and Board of Trustees' Revised Draft of Policy on Conflict of Interest dated 11/5/97 attached)**
 - (b) A RESOLUTION ON INTERDISCIPLINARY PROGRAMS (97/7) with accompanying Report: Professor John G. Boswell, Chair, Committee on Appointment, Salary and Promotion Policies (Resolution 97/7 with Report attached)**
- 4. Introduction of Resolutions**
- 5. General Business:**
 - (a) Report of the Executive Committee: Professor Lilien F. Robinson, Chair**
 - (b) Interim Reports of Senate Committee Chairs**
- 6. Brief Statements (and Questions)**
- 7. Adjournment**


Brian Selinsky
Secretary

POLICY ON CONFLICT OF INTEREST

I. GENERAL STATEMENT

A. Conflicts of interest occur when there is a divergence between an individual's private interests and his or her professional obligations to the University such that an independent observer might reasonably question whether the individual's professional actions or decisions are determined by considerations of financial or other personal gain. Conflicts of interest obviously may differ in extent or degree. The goal of any institution cannot be to eliminate all conflicts of interest. Rather it should be to establish boundaries within which conflicts of interest are tolerable and beyond which they are intolerable; processes for review of actual and apparent conflicts of interest; and appropriate mechanisms for the management of tolerable conflicts of interest.

A cornerstone for understanding must include the principle, stated in the Faculty Code, that "faculty shall have a primary responsibility of devoting their time, thought, and energy to service of the University." Of no less importance is a faculty member's responsibility to further his or her own professional development and the goals of his or her professional discipline. Under normal circumstances a faculty member's participation in the activities of governmental, industrial, and professional institutions is consistent with the academic interests of the University as well as those of the faculty member.

For purposes of this Policy, the terms "faculty" and "faculty member" include any person appointed by the Vice President for Academic Affairs (hereafter "Vice President") to conduct instruction or research and any other person responsible for the design, conduct, or reporting of externally sponsored University research.

The activities of the faculty shall be conducted in a manner that avoids inappropriate conflicts of interest. At least four types of conflicts of interest should be disclosed and may require review and oversight. These occur when:

1. the University is deprived of appropriate (compensated) time and effort of the faculty member due to external commitments;
2. substantial use is made of human and material resources of the University for non-University purposes;
3. the faculty member's extra-University activities affect, or reasonably appear to an independent observer to affect, his or her objectivity in carrying out academic responsibilities, or compromise basic scholarly activity or freedom of action; or

4. the University is deprived of its appropriate potential financial gain.

B. Examples of the various types of conflicts of interest noted above, while by no means exhaustive, are set forth below.

1. Conflicts of interest that may arise from time or effort considerations:
 - (a) exceeding the limitations of the "one day a week" rule set forth in part II.B. below ("Consulting and Other Professional Activities");
 - (b) accepting obligations that not infrequently conflict with scheduled classes or other academic responsibilities.
2. Conflicts of interest that may involve misallocation of University resources:
 - (a) using University equipment, supplies, personnel, and other facilities and resources for activities that yield financial benefit to the faculty member or a third party;
 - (b) when outside financial incentives distort scholarly activity or the shaping of academic goals;
 - (c) involvement in an outside activity with which the name of the University may become connected without publicly disclaiming the University's involvement in the activity.
3. Conflicts of interest that may impair objectivity:
 - (a) hiring of a family member, or of a student enrolled in the faculty member's course;
 - (b) entering into an agreement to limit or delay the free publication, and access to the results, of any sponsored research other than according to a normal University practice (as, for example, in the case of patents);
 - (c) any of the situations described in part III.D. below ("Research Support from Outside Entities").
4. Conflicts of interest that may arise from the University's loss of appropriate financial benefits:
 - (a) when a faculty member seeks to obtain research support in a manner that substantially undermines the responsibilities of the Office of Sponsored Research;

- (b) when an outside commitment provides to an individual or organization, other than the University, intellectual or tangible property rights, such as patent ownership or licensing, that ought to accrue to the University.

C. Because precise boundaries are difficult to establish without reference to specific facts, it is prudent to establish an approach that is flexible, not formulaic, and that is based on principles of fairness and trust. Fairness is advanced by policies that are firm enough to provide clear guidance and consistency, yet sufficiently supple to accommodate diversity of discipline and unique circumstance. Trust is advanced by open and full disclosure and discussion. In light of these principles, this Policy is based on two essential elements:

1. Utilizing established channels, faculty are provided a mechanism to report and to seek guidance concerning significant actual, potential, and apparent conflicts of interest, thus to ensure open disclosure and that the interests of the faculty member, his or her profession, and the University are well served. To promote fairness, the reporting is required of all faculty.
2. Each school shall administer:
 - (a) a procedure consistent with this policy for at least annual faculty disclosure of reportable actual, potential, and apparent conflicts of interest;
 - (b) the disclosure by faculty, utilizing the form annexed hereto, or such variation from the form as the Vice President may in his or her discretion approve from time to time for use at the school, of information pertinent to actual, potential, and apparent conflicts of interest;
 - (c) an appropriate mechanism consistent with this Policy for review and resolution of any lack of agreement arising from the disclosure of actual, potential, and apparent conflicts of interest.

II. CONSULTING AND OTHER PROFESSIONAL ACTIVITIES

A. Increasingly, industry and government have come to rely on faculties of universities for advice and guidance. Such practical contributions from institutions of higher education to the nonacademic world have provided many faculty members with the opportunity to use their knowledge and talents constructively, to strengthen their competence through a greater variety of professional experiences, and to serve the public interest.

B. A full-time faculty member may spend the equivalent of up to one working day a week during the academic year on outside consulting and other professional activities, provided such commitments do not interfere with University obligations. Payments for such activities are negotiated by the faculty member directly and do not involve the University. This privilege is not extended to research faculty members paid wholly from research grants or contracts, full-time physician faculty members in the Medical Center who are participants in Medical Faculty Associates, or other physician faculty members whose University contracts preclude such activities.

C. It is the responsibility of the department chair and the dean to ensure that no faculty member abuses this privilege and to ensure compliance with this Policy. In particular, it is expected that faculty involved in private income-producing activities will not, absent prior written specific approval by the Vice President, for such purposes utilize University space or resources or the services of secretaries, research assistants, or other University staff, other than minimal use of personal office space, local telephone, and personal computer equipment.

D. Faculty are required to report certain consulting and other activities on their disclosure statements described in Section IV below.

E. Notwithstanding any other provision of this Policy, no faculty member may accept a faculty appointment in another college or university during the academic year without the approval of the University. Exceptions allowing outside faculty appointments may be authorized only in cases of extreme emergency and with prior approval of the Dean and the Vice President. Approval of an outside faculty assignment is for a limited period, and it is expected that during that period the faculty member will give up all consultative activity.

III. RESEARCH SUPPORT FROM OUTSIDE ENTITIES

A. When support for research is sought and obtained from any source outside the University, a clearly stated agreement should be negotiated that sets forth in writing the expectations of the faculty member, the University, and the external entity. Funding amounts and other financial arrangements, realistic timetables for mutually agreed-upon objectives, and patent agreements should all be in writing before work begins. If the research project involves or may potentially involve a product or service with commercial potential, that prospect must be made known to all parties in advance.

B. Gifts, procurements, sponsored projects, and technology licensing arrangements between the University and outside entities in which a faculty member (or immediate family member, which includes the faculty member's spouse or dependent children as determined by the Internal Revenue Service, or a domestic partner) has a financial interest, or an employment or consulting role, raise

particular questions of actual, potential, and apparent conflicts of interest that require special ad hoc disclosures, review, and approval.

C. For the purposes of this Policy, "significant financial interest" means an interest consisting of: (1) any stock, stock option, or similar ownership interest, but excluding any interest arising solely by reason of investment by a mutual, pension, or other institutional investment fund over which the faculty member does not exercise control; or (2) receipt of, or the right or expectation to receive, any income, whether in the form of a fee (e.g., consulting), salary, allowance, forbearance, forgiveness, interest in real or personal property, dividend, royalty derived from the licensing of technology or other processes or products, rent, capital gain, real or personal property, or any other form of compensation, or any combination thereof. For the purposes of this Policy, a significant financial interest exists when the interest of a faculty member, alone or together with an immediate family member, over the last 12 months exceeded or over the next 12 months is expected to exceed \$5,000 in income of all types, or is or was an ownership or equity interest valued at five percent of an outside entity, or \$5,000, or more. A significant financial interest also exists when a faculty member or immediate family member holds a management position in an outside entity.

D. Prior to the University entering into any of the following arrangements, the involved faculty member must submit to the school dean a written disclosure of his or her current or pending relationship with the outside entity, the relationship of the proposed University activity to the entity, and means by which the faculty member will ensure separation of his or her University role from the faculty member's or immediate family member's role or interest in the entity:

1. gifts to the University of cash or property that will be under the control, or will directly support the teaching or research activities, of a faculty member from an entity with which that faculty member or immediate family member has an employment or consulting arrangement or a significant financial interest;
2. sponsored project proposals in which the involved faculty member or immediate family member has employment or consulting arrangements and/or a significant financial interest in the proposed sponsor, or with proposed subcontractors, vendors, or collaborators;
3. University technology licensing arrangements with companies for which the faculty inventor or immediate family member has employment or consulting arrangements and/or a significant financial interest; and
4. procurement of materials or services from an outside entity in which the faculty member or immediate family member has employment or consulting arrangements and/or a significant financial interest.

A faculty member who seeks funding from or who works on a project funded by an external sponsor must comply with that sponsor's requirements related to disclosure, management, and avoidance of conflicts of interest.

E. Common sense must prevail in the interpretation of these provisions. That is, in an unclear case if a reasonable person would question the relationship it shall be disclosed and subject to review under this Policy. In most cases, a faculty member should opt for disclosure.

IV. PROCEDURES FOR REVIEW

A. Disclosure and Management of Conflicts of Interest

1. On an annual basis all faculty members must certify to their school deans their compliance with the University's policies related to conflict of interest and commitment, and disclose the following:
 - (a) any significant financial interest or consulting or employment relationship as described in Section III;
 - (b) other financial benefit to the faculty member or immediate family member, related to an existing or contemplated relationship between the University and an outside entity with which the faculty member is or expects to be involved, that in the judgment of the faculty member may be perceived as inappropriate;
 - (c) any service as a principal investigator or manager of outside research or business activity in the faculty member's professional field, or any involvement of the faculty member's students or staff in the faculty member's outside consulting or business activities.

Faculty members supply this information for confidential review by the University; in schools where the established review mechanism includes the department chair and/or a faculty committee, faculty members may request that the certification and disclosures be reviewed by the school dean instead. Deans and other administrative faculty shall submit their own certification and disclosure statements directly to the Vice President.

A Disclosure Form is annexed to this document. At the request of a dean of a school, the disclosure form applicable to that school may be amended upon the prior written approval of the Vice President.

In addition, faculty members must disclose to the department chair or dean on an ad hoc basis current or prospective situations that may raise questions of conflict of commitment or interest, as soon as such situations become known to the faculty member.

Each dean shall forward to the Vice President a copy of the faculty disclosure forms, any related material submitted by a faculty member, and the dean's recommendation for action.

2. If the dean, with the concurrence of the Vice President or the Vice President's designee, determines that the conduct disclosed is appropriate under this Policy, the faculty member shall be informed in writing that the conduct is approved. Descriptions of the types of conduct approved shall be made available from time to time in a form designed to give guidance to the faculty generally, but the faculty members receiving approval shall not be identified.
3. If the dean or the Vice President determines that the conduct may present an actual, potential, or apparent conflict of interest, conditions or restrictions to manage or prohibit the conflict, agreeable to the Vice President, may be imposed. Examples of such conditions or restrictions include, but are not limited to:
 - (a) public disclosure of significant financial interests;
 - (b) monitoring of research by independent reviewers;
 - (c) modification of the research plan;
 - (d) disqualification from participation in all or a portion of an externally funded research project;
 - (e) divestiture of significant financial interests;
 - (f) severance of relationships that create actual or potential conflicts.
4. It is not the object of this review process to discourage outside activities by faculty members that do not present an actual, potential or apparent conflict of interest. Instead, this process is designed to allow faculty members to undertake permissible activities without concern about later criticism, to be fair to all involved, and to give the University accurate information about the scope and nature of those faculty activities.

B. Procedures for Resolving Disputes About Conflicts of Interest

1. If a dean learns, whether from a faculty member or otherwise, of conduct that the dean believes presents a significant question about possible violation of the Policy on Conflict of Interest, the dean should discuss the conduct with the faculty member. After that discussion the dean shall relate his or her findings to the Vice President, and the dean subject to the concurrence of the Vice President shall advise the faculty member whether the conduct (a) presents no conflict of interest; (b) may be undertaken subject to conditions or restrictions as described in part IV.A.3 above; or (c) should cease, subject to further review. If either the dean or the Vice President is not sure the conduct is proper or believes that conditions or restrictions should be imposed, the faculty member shall, as the case may be, cease the conduct, accept the conditions or restrictions agreeable to the Vice President, or seek a review of the matter by the school's Conflicts Consultation Committee.
2. Any member of the University community ("Complainant") may bring directly to the attention of a school's Committee a probative and not frivolous matter alleged to be in violation of this Policy. A faculty member whose activity has been questioned shall be entitled to know the identity of the person or persons bringing such allegations to the Committee and the full extent of the allegations.
3. A school's Conflicts Consultation Committee shall be composed of at least five faculty members of the school, elected by the faculty of the school. The function of the Committee shall be to (1) conduct a hearing if necessary to make written findings about any disputed facts; (2) write a reasoned recommendation as to whether the conduct constitutes a conflict of interest and whether the conduct may be undertaken subject to any conditions or restrictions.
4. The dean, the Vice President, the Complainant, or the faculty member may consult a member of the Conflicts Consultation Committee informally before the matter is referred to it to discuss whether a given activity would constitute a conflict of interest and/or what conditions or restrictions, if any, would be appropriate, but no such informal advice should be binding on any party to the process described above. The Committee member so consulted shall not participate in the hearing or decision.
5. The Vice President shall review the Committee's recommendation, confer with the Dean, and render a formal decision.
6. If the faculty member is dissatisfied with the Vice President's decision, that determination may be appealed to the University Conflicts

Resolution Panel ("Panel"), which shall be composed of between three and five faculty members appointed by the Vice President.

7. The Panel shall be bound by the factual findings of the school Conflicts Consultation Committee unless in the judgment of the Panel the school Committee clearly failed to consider important facts submitted to it. In other words, there ordinarily should be no need for a hearing before the University Panel and no augmenting of the factual record.
8. A member of the Panel from the school from whose Committee the appeal is taken may not participate in the appeal. No informal or other ex parte communication with members of the Panel shall be permitted as to the matter that has been or may be brought before the Panel.
9. The Panel shall render its report to the affected faculty member, the dean, and the Vice President. The conclusion of the Panel shall be accepted by the University unless the Vice President concludes that the decision is substantially unsound and materially disservices important interests of the University. In that event, the Vice President, in consultation with the dean and other persons as the Vice President deems appropriate, shall take such action as he or she believes best serves the University's interests. The University shall not sanction a faculty member's past conduct found permissible under this Policy.
10. To the extent that the Panel's decision confirms that a faculty member's conduct is inappropriate under this Policy, any sanction imposed by the Vice President must be consistent with the substantive and procedural requirements of the Faculty Code.
11. A faculty member whose conduct has been determined to be appropriate under this Policy shall be insulated from school or University discipline for that conduct. However, another faculty member may not rely on approval that addressed a different faculty member's conduct, as it may have been based on unique circumstances. If the Faculty Code or this Policy is later amended to establish a general policy that prohibits the conduct, no sanction may be imposed for previously approved conduct engaged in before that new policy was adopted, made generally known, and put into effect.

**Financial Interest Disclosure
Pursuant to George Washington University Policy
on Conflict of Interest**

Faculty Member Name _____

Department/Unit _____

College/Unit _____

I am disclosing the following financial interests that are reportable under the University Policy on Conflict of Interest and attaching supporting documentation (in an envelope marked confidential) that identifies the business enterprise or entity involved and the nature and amount of the interest:

(Reportable financial interests are defined in the University Policy on Conflict of Interest.)

- ____ Salary or other payment for services (e.g., consulting fees or honoraria).
- ____ Equity interests (e.g., stocks, stock options, or other ownership interests).
- ____ Intellectual property rights (e.g., patents, copyrights, or royalties from such rights).
- ____ Other reportable financial interests.

I have no financial interests to disclose in accordance with the University Policy on Conflict of Interest:

Initials

Further I agree:

- * To update this disclosure annually and as new reportable financial interests occur.
- * To cooperate when requested in the development of a Memorandum of Understanding (MOU) that constitutes a conflict of interest resolution plan.
- * To comply with any conditions or restrictions imposed by the University to manage, reduce or eliminate actual, potential or apparent conflicts of interest.

Signed: _____ **Date:** _____

(Original signature only — a "per" signature is not acceptable.)

Endorsements:

I have reviewed the financial interest disclosure and believe that it will be possible to develop and execute, prior to award if applicable, an MOU to manage, reduce or eliminate any actual, potential, or apparent conflict of interest; and, therefore, I recommend that the University permit the disclosed arrangement and, if applicable, that the proposal be submitted to the agency at this time.

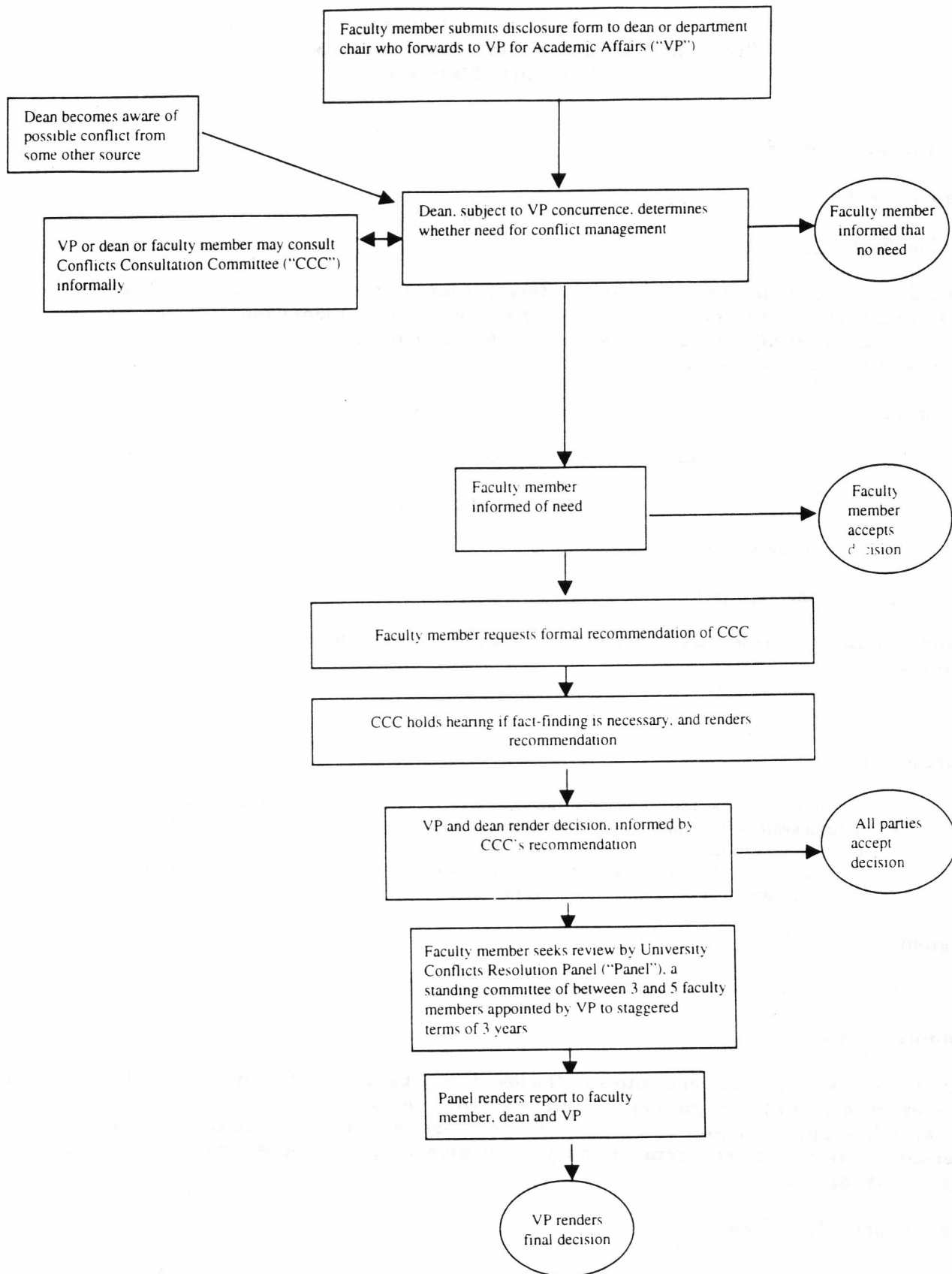
Department/Unit Head: _____
Signed

Date

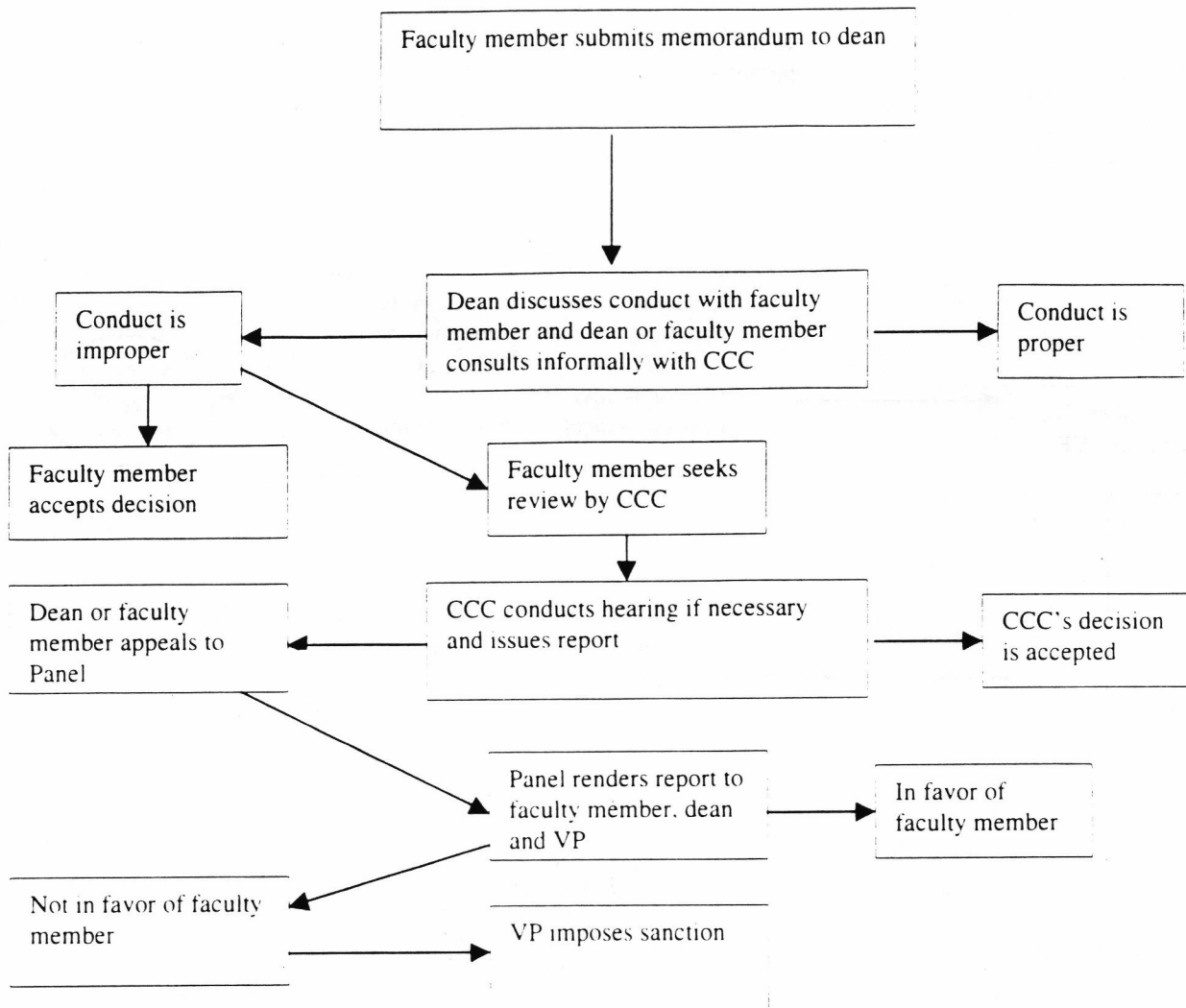
College Dean/Director: _____
Signed

Date

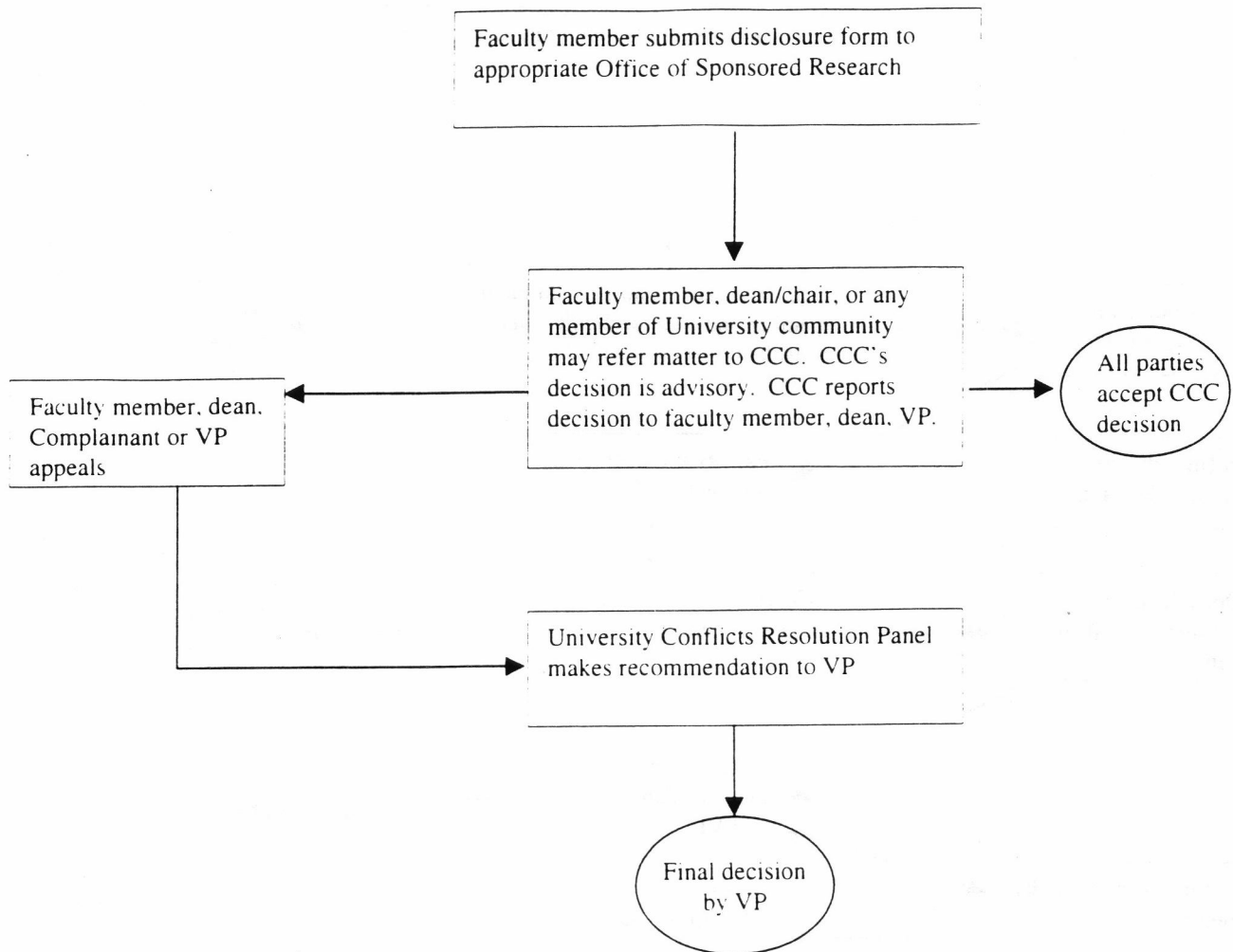
Conflicts Resolution Procedure
Proposed Policy
[November 1997]



Conflicts Resolution Procedure
Existing University Policy
[adopted 1990]



Conflicts Resolution Procedure
Existing Policy for Federally Funded Research
[adopted 1995]



*Conflict of Interest Policy and
Procedures adopted by
the Faculty Senate on May 9, 1997*

THE GEORGE WASHINGTON UNIVERSITY

FACULTY SENATE

**A RESOLUTION TO RE-AFFIRM THE POLICY ON CONFLICT OF INTEREST FOR
FACULTY MEMBERS OF THE GEORGE WASHINGTON UNIVERSITY AND TO
ENDORSE THE PROCEDURES FOR REVIEW OF POSSIBLE FACULTY CONFLICTS
OF INTEREST (97/2)**

WHEREAS the Board of Trustees of The George Washington University requested that the Faculty Senate draft a Conflict of Interest Policy for review by the Academic Affairs Committee at its February 14, 1997 meeting; and

WHEREAS a reconstituted special faculty committee was elected by the Faculty Senate at its November 15, 1996 meeting; and

WHEREAS the special faculty committee has presented its report to the Faculty Senate at its meeting on May 9, 1997; **NOW THEREFORE**

**BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON
UNIVERSITY**

1. That the existing Policy on Conflict of Interest, as endorsed by Resolution 89/6, and subsequently adopted by the Board of Trustees be re-affirmed; and
2. That the Senate endorse the attached Procedures for Review of Possible Faculty Conflicts of Interest, as amended.

Special Committee of the Faculty Senate on Policy on Conflict of Interest
R.J. Harrington, April 29, 1997

Adopted, as amended, May 9, 1997

THE GEORGE WASHINGTON UNIVERSITY

FACULTY SENATE

AD HOC COMMITTEE ON 'A CONFLICT OF INTEREST POLICY FOR FACULTY'

Final Report

I. Composition of the Committee

The committee was comprised of the following faculty members:

Professors J. Cordes (CSAS), M. Elgart (SMHS), R. Harrington, (Chair), (SEAS), G. Johnston (GWLS), T. Morgan (GWLS), R. Mueller (GSEHD), J. Pelzman (ESIA), L. Robinson (CSAS) & P. Wirtz (SBPM)

This was a re-constituted committee as elected at the Faculty Senate meeting of November 15, 1996. The members of the committee had all been members of the original joint faculty and administration committee previously constituted during the 1995/96 Academic year. This original committee had been established by Faculty Senate Resolution (95/5)

II. Charge of the Committee

The committee was charged with developing a Conflict of Interest Policy for Faculty.

III. Recommendations of the Committee

The committee saw its charge as in two separate tasks viz:

- (a) Develop a Conflict of Interest Policy for all Faculty at the University consistent with the Conflict of Interest Policies for the Board of Trustees and for Members of the Administration already in force or proposed.
- (b) Develop a set of Procedures for Review of Possible Faculty Conflicts of Interest consistent with the Conflict of Interest Policy, developed as in (a).

After much discussion, and based on previous deliberations of the Joint Administration/Faculty committee, it was agreed to continue with the existing Conflict of Interest Policy in force from the adoption on January 19, 1990 of the Faculty Senate Resolution 89/6. The Policy on Conflict of Interest referred to in that resolution is included with this report as Appendix I.

The question of Procedures for Review was then taken up by the committee which requested Professor Morgan of the GW Law School, a member of the committee and a recognized expert on legal issues relating to Conflicts of Interest, to draft a set of Procedures. At a subsequent meeting, Professor Morgan's draft was discussed. The committee endorsed the draft and requested the Chair to communicate with the Academic Affairs Committee of the Board of Trustees for their reaction to the draft. The chair, at the invitation of the Chair of the Academic Affairs committee of the Board of Trustees, Mr. E. Grebow, provided the Board of Trustees with a copy of the draft Procedures and made a presentation to the Academic Affairs Committee. Subsequently, the chair received a brief written statement from the Academic Affairs committee of the Board commenting on the draft Procedures which the committee then deliberated on. A new document, herewith attached as Appendix II of this report, which this committee proposes as 'Procedures for Review of Possible Faculty Conflicts of Interest', was produced as a result of the comments made by the Board of Trustees.

APPENDIX I

A POLICY ON CONFLICT OF INTEREST

Conflicts of interest are a universal fact of life; they occur when the fulfillment of an obligation, commitment, or responsibility makes it difficult or impossible to fulfill other obligations, commitments, or responsibilities. They obviously may differ in extent or degree. The goal of any institution cannot be to eliminate all conflicts of interest. Rather it should be to establish boundaries within which conflicts of interest are tolerable and beyond which they are intolerable.

A cornerstone for understanding must include the principle that "...faculty shall have a primary responsibility of devoting their time, thought, and energy to service of the University" [FC III F]. At the same time and of no less importance is a faculty member's responsibility to further his/her own professional development and the goals of his/her professional discipline. Under normal circumstances a faculty member's participation in the activities of governmental, industrial, and professional institutions is consistent with the academic interests of the University as well as those of the faculty member.

The activities of the faculty shall be conducted in a manner that avoids conflicts of interest. There are at least four types of conflicts of interest that may require review; these occur when:

- 1) the University is deprived of the appropriate (compensated) time and effort of the faculty member due to external commitments;
- 2) substantial use is made of human and material resources of the University for non-University purposes;
- 3) the faculty member's extra-university activities affect his/her objectivity in carrying out academic responsibilities, or compromise basic scholarly activity or freedom of action; and
- 4) the University is deprived of its appropriate potential financial gain.

Examples of the various types of conflicts of interest noted above include the following:

1. Conflicts of interest that may arise from time/effort considerations:

- a) exceeding the equivalent of the "one day a week" rule allowed by the Faculty Handbook;
- b) accepting obligations that regularly conflict with

scheduled classes or other academic responsibilities.

2. Conflicts of interest that may involve misallocation of University resources:

- a) using University equipment, supplies, personnel, and other facilities and resources for activities that yield financial benefit to the faculty member and not the University;
- b) when outside financial incentives distort scholarly activity or the shaping of academic goals.

3. Conflicts of interest that may arise and may impair objectivity:

- a) receiving support from an institution in which the faculty member or a close friend or relative has a substantial financial interest;
- b) hiring of a family member or of a student enrolled in his/her course;
- c) entering into an agreement that precludes normal scholarly publication or public discussion;
- d) when a faculty member has a relationship (as, e.g., consultant, advisor, owner, or shareholder) to an outside organization that is conducting business with the University.

4. Conflicts of interest that may arise from the University's loss of appropriate financial benefits:

- a) when a faculty member seeks to obtain research support in a manner that substantially undermines the responsibilities of the Office of Sponsored Research;
- b) whenever an outside commitment provides to an individual or organization other than the university for intellectual or tangible property rights in the way of patent ownership or licensing that ought to accrue to the University.

Although the examples given above describe conflicts a faculty member may voluntarily face, consideration needs to be given to conflicts that may arise from pressures of the University. Two examples are:

- a) A faculty member who has summer research support might inadvertently be asked to devote substantial time to non-research activities (e.g. curriculum revision) and still be expected to sign a declaration (e.g., a government form) that 100% of his/her time was spent on the research project.
- b) In its effort to increase the financial well being of the institution, the University might encourage the pursuit of activities that will generate

income from contracts at the expense of freely
chosen disinterested research and scholarship.

Because these boundaries are fated to be somewhat arbitrary
and vague, it seems prudent to establish an approach that has two
essential elements:

(1) utilizing normal channels, faculty are encouraged to
report and to seek guidance concerning significant potential
conflicts of interest in order to ensure that the interests
of the faculty member, his/her profession, and the
University are best served; and

(2) recognizing that each school, college, or other unit has
shared and unshared areas where conflicts may occur, each
unit should devise an appropriate mechanism to review and to
resolve any lack of agreement arising from the disclosure of
potential or actual conflicts of interest.

Professional Ethics and Academic Freedom Committee
November 13, 1989

II. Procedures for Resolving Disputes About Whether Conduct Constitutes a Conflict of Interest

- A. If a Dean learns, whether from a faculty member's memorandum or otherwise, of conduct that the Dean believes presents a significant question about possible violation of the Policy on Conflict of Interest, the dean should discuss the conduct with the faculty member. If after that discussion, the Dean is still not sure the conduct is proper, the faculty member shall cease the conduct or seek a review of the matter by the School's Conflicts Consultation Committee.
- B. A School's Conflicts Consultation Committee shall be comprised of at least five faculty members of the School, elected by the faculty of the School. The function of the Committee shall be to (1) conduct a hearing if necessary to make written findings about any disputed facts, and (2) to write a reasoned opinion whether the conduct constitutes a conflict of interest.
- C. Either the Dean ~~of~~ or the faculty member may consult a member of the Conflicts Consultation Committee informally before the matter is referred to it to discuss whether a given activity would constitute a conflict of interest, but no such informal advice should be binding on any party to the process described above. The Committee member so consulted shall not participate in the hearing or decision.
- D. If either the faculty member or the Dean is dissatisfied with the School's Conflicts Consultation Committee's opinion in B above, that determination may be appealed to the University Conflicts Resolution Panel which shall be comprised of two faculty members from each School elected by faculty of that school from among those who who also serve on the School's Committee.
- E. The University Conflicts Resolution Panel shall be bound by the factual findings of the School Conflicts Consultation Committee unless the School Committee clearly failed to consider important facts submitted to it. In other words, there ordinarily should be no new Hearing before the University Panel and no augmenting of the factual record.
- F. Members of the University Conflicts Resolution Panel from the School from whose Committee the appeal is taken may not participate in the appeal. No informal or other ex parte communication with members of the University Panel shall be permitted as to the matter that has been or may be brought before the Panel.
- G. The University Conflicts Resolution Panel shall render its report to the affected faculty member and the Dean, and to the Vice President for Academic Affairs. To the extent the decision is in favor of the faculty member, the University shall not sanction the conduct, except insofar as the conduct is continued thereafter being specifically prohibited by a duly-adopted Amendment to the Faculty Code. The University Conflicts Resolution Panel shall make a report to the Faculty Senate annually.
- H. To the extent that that University Conflicts Resolution Panel's decision confirms that a faculty member's conduct has violated the Policy on Conflict of Interest any sanction imposed by the Vice President for Academic Affairs must be consistent with the substantive and procedural requirements of the Faculty Code.

5/9/97
Amendment

5/9/97
Amendment

APPENDIX II

PROCEDURES FOR REVIEW OF POSSIBLE FACULTY CONFLICTS OF INTEREST

These procedures are designed to implement the Policy on Conflict of Interest adopted by the Faculty Senate of the George Washington University on January 19, 1990, which ended:

'Because these boundaries [between permitted and prohibited activity] are fated to be somewhat arbitrary and vague, it seems prudent to establish an approach that has two essential elements:

- '(i) utilizing normal channels, faculty are encouraged to report and to seek guidance concerning potential conflicts of interest in order to ensure that the interests of the faculty member, his/her profession, and the University are best served; and
- '(ii) recognizing that each school, college, or other unit has shared and unshared areas where conflicts may occur, each unit should devise an appropriate mechanism to review and to resolve any lack of agreement arising from the disclosure of potential or actual conflicts of interest.'

I. Reporting of Faculty Activities and Acknowledgment They Present No Conflict of Interest

- A. Any faculty member who believes his or her outside activities present a significant conflict of interest, or a significant potential conflict of interest, within the meaning of the Policy on Conflict of Interest adopted by the

Faculty Senate of the George Washington University on January 19, 1990 shall describe those past or proposed activities in a memorandum sent to the Dean of the faculty member's school.¹ If the Dean determines that the conduct will not or does not violate the Policy on Conflict of Interest, the faculty member shall be informed that the conduct is approved. A copy of the approval shall also be sent to the Vice President of Academic Affairs. A description of the type of conduct approved shall be made available in a form designed to give guidance to the faculty generally, but the faculty member receiving the approval shall not be identified.

- B. Such approval by the Dean shall protect the faculty member from School or University discipline for any conduct within the scope of conduct described in the memorandum. If the Faculty Code is later amended to establish a general policy that prohibits the conduct, no sanction may be imposed for previously approved conduct engaged in before that new policy was adopted, made generally known, and put into effect.

- C. It is not the object of this review process to discourage outside activities by faculty members that do not present a conflict of interest. Instead, this process is designed both to allow faculty members to undertake permissible activities without concern about later criticism and to give the University accurate information about the scope and nature of those faculty activities.

¹ In Schools organized by Departments, the Dean may delegate the Dean's authority and responsibilities under these procedures to Department Heads. In Schools where that delegation has been made, the term 'Dean' in these procedures should be understood to mean 'Department Head.'

A RESOLUTION ON INTERDISCIPLINARY PROGRAMS (97/7)

- WHEREAS, the University should encourage faculty and students to explore heretofore uncharted areas of knowledge; and**
- WHEREAS, the establishment of interdisciplinary programs promotes cooperation among scholars in various disciplines and the exploration of new ideas; and**
- WHEREAS, good policy suggests that guidelines be established for interdisciplinary programs; NOW, THEREFORE**

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- (1) That the Faculty Senate supports the establishment of interdisciplinary programs through the cooperation of two or more schools or departments of the University;**
- (2) That faculty collaborating in the establishment and leadership of interdisciplinary programs shall be regular, active-status members of University departments or non-departmentalized schools and shall have the endorsement of their department or school to participate in such programs;**
- (3) That the regular, active-status faculty participating in each program shall constitute the Program Committee for that program, and will be evaluated for promotion and tenure by their respective departments and/or schools, in a manner consistent with the Faculty Code; each program Committee will report to a committee of the Deans of the participating schools that is chaired by the Associate Vice President for Research and Graduate Studies; regular active-status faculty of the Program Committee will recommend a director to the Vice President for Academic Affairs;**
- (4) That faculty members, other than regular active-status, who are associated with interdisciplinary programs, will be evaluated for appointment, reappointment, and promotion by the particular Program Committee and by the department and/or school in which they are appointed;**

- (5) That students pursuing degrees in an interdisciplinary program shall be admitted and registered in the interdisciplinary program and in one of the schools of the University; admission into interdisciplinary programs shall be administered by the Program Committee and approved by the Department and/or school cooperating in the designated interdisciplinary program; the department or school representatives to each Program Committee shall have signatory authority to approve admissions to the interdisciplinary program; and
- (6) That students in an interdisciplinary program shall, upon satisfactory completion of all requirements, be recommended for the interdisciplinary degree by the particular Program Committee, subject to approval by the faculty of the school in which they matriculate.

Committee on Appointment, Salary and Promotion Policies
November 18, 1997

REPORT OF THE SUBCOMMITTEE OF THE SENATE COMMITTEE ON
APPOINTMENT, SALARY AND PROMOTION POLICIES

Re: Senate Resolution on Interdisciplinary Programs

This resolution responds to the need to establish general guidelines for creating, conducting, and staffing new academic programs which because of their interdisciplinary content require the cooperation of faculty in one or more departments (or non-departmentalized schools, hereinafter understood to be comprehended within the term "department").

This Resolution seeks to strike a balance between upholding the traditional and Code-protected role of departments in determining academic policy and curriculum and the autonomy and authority which interdisciplinary programs committees require to develop and establish successful programs. In addition to maintaining this balance, the Resolution seeks to enable the Program Committee with the ability to make decisions with deliberate speed.

The resolving clauses of the Resolution do not answer all questions. Nor do they foresee all eventualities. They are based on the belief that persons of goodwill joined in a common effort and supported by their departmental colleagues and chairmen will find solutions to the structural and procedural problems as they arise.

Herewith, in sequence, the Subcommittee explains "its thinking" on each of the resolving clauses:

(1) The Senate's support of interdisciplinary programs is appropriate because a number of such programs already flourish within the University. The prospect of Senate's receiving subsequent proposals, perhaps of greater complexity, suggests the propriety of its establishing general guidelines.

(2) The Subcommittee, to put it more simply, believes that full-time, not part-time, faculty should be in charge. For reasons having to do with departmental priorities, however, full-time faculty should not simply volunteer, or be coerced, to "participate," but rather should have their department's freely-given and explicit approval and endorsement. The contribution of participating faculty members to the interdisciplinary programs should be appreciated as a component of their academic advancement and service to their department and the university.

(3) Once departmentally approved for "participation," full-time faculty will direct the program by their automatic membership on the Program Committee. While the latter part of this clause seems redundant (repetitive of Code language), it serves as a reminder of the department's stake in determining how much time and effort a member may devote to the program and still meet departmental criteria for promotion and tenure. The Program Committee will establish its own infrastructure and be accountable to a committee of Deans.

(4) "Other than regular active-status" refers to the part-time or adjunct faculty who will almost certainly be hired to teach specialized interdisciplinary courses. Both the Program Committee AND the Department (in which the appointment takes place) must concur in appointing, reappointing, and promoting such non-tenure-track faculty. Experience suggests that although a department and a program committee may have

differing criteria, they concur often enough in their judgments of whether an individual has met both standards as to make such differences relatively unimportant.

Some expressed their concern that an interdisciplinary program might become over-staffed with part-time faculty because it is not bound by the percentage restrictions the Code imposes on departments. The subcommittee recognizes this possibility. Article I of the Faculty Code reads, in part: ". . . . nor shall any department have fewer than 50% of its regular, active-status faculty appointments either tenured or tenure-accruing." Whether the same or some other restriction should be applied to interdisciplinary programs is a matter which the subcommittee believes should be decided apart from this resolution.

(5) This clause affirms the authority of an existing School to set admission standards for, and to admit students into, an interdisciplinary program with which the School is affiliated. To put it another way, students admitted to an interdisciplinary program may or may not have a "home department," but they must have a "home school". Criteria and decisions for the admissions process should be made by the Program Committee and the respective departments/schools but the approval of admissions should be made with deliberate speed.

(6) Though it hardly needs re-phrasing, this clause says that a Program Committee may recommend a student for an interdisciplinary degree, but the "home school" must approve the Committee's recommendation.

Dr. Arnold M. Schwartz
Pathology
George Washington University Medical Center
2300 I Street, NW
Washington, DC 20037
(202) 994-8804, fax (202) 994-2618